

Date Mailed
May 22, 1998

BEFORE THE
PUBLIC SERVICE COMMISSION OF WISCONSIN

Complaint by Wisconsin Public Service Corporation Against
Wisconsin Central Limited on a Dispute on the Easement and
Conditions for Constructing a Transmission Line Within Railroad
Rights-of-Way

6690-EI-102

**NOTICE OF INVESTIGATION, PREHEARING CONFERENCE,
AND HEARING**

Prehearing Date:	June 4, 1998, 1:30 p.m.
Prehearing Location:	Public Service Commission, 610 North Whitney Way, Madison, Wisconsin
Hearing Date:	June 22, 1998, 10:00 a.m.
Hearing Location:	Public Service Commission, 610 North Whitney Way, Madison, Wisconsin

On April 24, 1998, Wisconsin Public Service Corporation (WPS) filed a complaint against Wisconsin Central Limited (WCL), pertaining to a dispute on the easement and compensation for and conditions under which WPS could construct an electric transmission line within the railroad's rights-of-way.

Pursuant to the Commission's October 10, 1997, order in dockets 6690-CE-175 and 6690-CE-176, WPS was ordered to construct a 138 kV electric transmission line from the Lost Dauphin Substation to the De Pere Power Plant under and along a right-of-way (ROW) owned by WCL in Brown County, Wisconsin. The transmission line includes 2.3 miles of underground construction and 2.6 miles of overhead construction. Construction of the transmission line is to be completed by February 1999, in order to ensure that the facilities necessary to connect the De Pere Power Plant to the system are in place for the summer of 1999.

In its filing with the Commission, WPS alleges that it has attempted to negotiate in good faith with WCL for an easement to construct this transmission line, but WCL has refused to grant WPS an easement. Instead, WPS contends that WCL has insisted that WPS enter into a license agreement with inequitable and unreasonable terms and conditions.

WPS has requested that the Commission grant it immediate access to WCL's ROW to begin construction of the transmission line. WPS has further requested that the Commission grant the company an easement for the construction and maintenance of this transmission line under and along WCL's ROW and prescribe an equitable and fair compensation for the easement.

NOTICE IS HEREBY GIVEN that the Commission will formally investigate the complaint of WPS and conduct a pre-hearing conference and hearing on the matter.

NOTICE IS FURTHER GIVEN that the Commission will hold a prehearing conference on June 4, 1998, at 1:30 p.m., in the Amnicon Falls Hearing Room at the Public Service Commission Building, 610 North Whitney Way, Madison, Wisconsin. This building is accessible to people in wheelchairs through the Whitney Way main floor entrance (Lobby). Parking for people with disabilities is available on the south side of the building. Any person with a disability who needs additional accommodations should contact Richard Teslaw at (608) 267-9766.

The purpose of the prehearing conference is to determine the issues to be addressed at the hearing and to establish dates for prefiling written testimony.

Full parties will be bound by the dates and the designation of issues and schedules adopted at the prehearing conference. Persons who consider themselves to be potential full parties should participate in the prehearing conference. Persons who desire to actively participate as full parties must request full-party status in writing. Full-party status requests should be addressed to Ms. Donna Paske, Hearing Examiner, Public Service Commission of Wisconsin, Examining Division, P.O. Box 7854, Madison, Wisconsin 53707-7854.

NOTICE IS FURTHER GIVEN that the Commission will hold a hearing beginning on June 22, 1998, at 10:00 a.m. in the Amnicon Falls Hearing Room at the Public Service Commission Building. Further hearing will continue at a time and place designated by the presiding hearing examiner.

NOTICE IS FURTHER GIVEN that this matter is deemed to be a Class 1 proceeding as defined in s. 227.01(3)(a), Stats. The Commission has jurisdiction to issue this notice pursuant to s. 196.04(4), Stats.

NOTICE IS FURTHER GIVEN that the Commission may deem it necessary in order to carry out its duties herein to investigate the books, accounts, practices and activities of WPS. The expenses incurred or to be incurred by the Commission which are reasonably attributable to the investigation will be assessed against and collected from WPS, in accordance with the provisions of s. 196.85, Stats., and ch. PSC 5, Wis. Adm. Code.

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If there are any questions regarding full-party status requests, the prehearing conference, or hearing scheduled in this notice, please contact Hearing Examiner Donna Paske, at (608) 266-7173. Other questions about this matter may be directed to Terri Kosobucki, Case Coordinator, at (608) 267-3595.

Dated at Madison, Wisconsin, _____

For the Commission.

Susan E. Stratton
Administrator
Electric Division

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